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January 21, 2003

BY ELECTRONIC SUBMISSION

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Re: WC Docket No. 02-384; Notification of Oral *Ex Parte*

Dear Ms. Dortch:

On Friday, January 17, 2003, I engaged in a teleconference with Gail Cohen of the Wireline Competition Bureau Staff and Heather T. Hendrickson of Kelley Drye & Warren regarding the above-referenced proceeding. During the discussion with Ms. Cohen, I elaborated on the comments filed by Core Communications, Inc. ("Core") in this proceeding, which demonstrate, among other things, that Verizon Maryland Inc.'s ("Verizon's") refusal to pass Automatic Number Identification ("ANI") to Core over Multi Frequency ("MF") local interconnection trunks violations section 251(c)(2) of the Communications Act ("Act") and "checklist item 1" of section 271 of the Act.

Specifically, I first noted that checklist item 1 of section 271 requires Verizon to provide Core and other competitors with "interconnection in accordance with the requirements of sections 251(c)(2) and 252(d)(1)."¹ Section 251(c)(2) in turn requires Verizon to interconnect with Core and other competitors according to "rates, terms, and conditions that are just, reasonable, and nondiscriminatory."² Elaborating on this standard, the Commission has determined that "the requirement to provide interconnection on terms and conditions that are 'just, reasonable, and nondiscriminatory' means that an incumbent LEC must provide interconnection to a competitor in a manner no less efficient than the way in which the

¹ 47 U.S.C. § 271(c)(2)(B)(i).

² 47 U.S.C. § 251(c)(2)(D).

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incumbent LEC provides the *comparable function to its own retail operations*.”³ Verizon does not provide Core such comparable function for its MF local interconnection trunks.

In its Application, Verizon relies on its provision of “Feature Group D” trunking to interexchange carriers as the comparable function for demonstrating compliance with the just, reasonable, and nondiscriminatory requirements of section 251(c)(2)(B), and therefore item 1 of the section 271 competitive checklist.⁴ Verizon’s Feature Group D retail service includes the provision of ANI over MF trunks.⁵ As such, Verizon similarly must provide ANI over local MF trunks in order to satisfy the “comparable function” standard of item 1 of the section 271 competitive checklist. Because Verizon has refused to provide ANI over local MF interconnection trunks even though it provides ANI over retail, “Feature Group D” MF trunks, Verizon simply cannot satisfy checklist item 1.

In accordance with the Commission’s rules, this letter is being filed electronically in WC Docket No. 02-384. If you have any questions or need additional information, please contact me.

Sincerely,

/s/

Michael B. Hazzard

Counsel to Core Communications, Inc.

cc: Gail Cohen, WCB (by electronic mail)

³ *Application by Verizon Virginia Inc., Verizon Long Distance Virginia, Inc., Verizon Enterprise Solutions Virginia, Inc., Verizon Global Networks, Inc., and Verizon Select Services of Virginia, Inc. for Authorization to Provide In-Region, InterLATA Services in Virginia*, Memorandum Opinion and Order, 17 FCC Rcd at 21880, ¶ C-19 (2002).

⁴ Joint Declaration of Elaine M. Guerard, Julie A. Canny, and Marilyn C. Devito, WC Docket No. 02-384, ¶ 56 (Dec. ___, 2002) (“IXC Feature Group D trunks are used as the ‘retail’ comparison group for CLEC trunk measurements.”).

⁵ Declaration of Paul A. Lacouture and Virginia P. Rueterholz Regarding Maryland, WC Docket No. 02-384, ¶ 37 (Dec. ___, 2002) (“The signaling protocol for MF trunks includes Automatic Number Identification (‘ANI’).”). Indeed, Verizon has gone so far to suggest that Core purchase Feature Group D trunks from Verizon, rather than utilize local interconnection trunks, to obtain ANI.